

## **REMARKS**

Applicant appreciates the Examiner's thorough consideration of the present application. Claims 1, 2 and 4-26 are currently pending in the instant application. Claims 19, 23 and 26 have been amended. Claims 1, 12, 15 and 16 are independent. Reconsideration of the present application is earnestly solicited.

### **Allowable Subject Matter**

Applicant appreciates the Examiner's indication of allowable subject matter. Specifically, the Examiner has indicated that claims 2 and 14-16 have been allowed. In addition, the subject matter of claims 6 and 19-26 has also been identified as containing allowable subject matter if rewritten in independent format. In light of the foregoing amendments to claims 19 and 23, Applicant submits that claims 19-26 should also be allowed by the Examiner. As discussed in greater detail hereinafter, Applicant submits that all of the claims of the present application should be allowed and the present application should be passed to Issue.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1, 4, 5, 7-10, 12 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi (U.S. Patent No. 5,940,824) in view of Sugiyama (Japanese Patent Document No. JP404291881A). Claims 11, 17 and 18 have been

rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi (U.S. Patent No. 5,940,824) in view of Sugiyama (Japanese Patent Document No. JP404291881A). These rejections are respectfully traversed.

With respect to claim 1, the prior art of record fails to teach or suggest each and every limitation of the combination of limitations of the claimed invention, including the limitation(s) of “wherein said compression device performs *normalization for correcting fluctuation of said image data in reading prior to compression of said image data of said image to perform setup of said image data to achieve a predetermined reference value of the compressed image data.*” (emphasis added) Accordingly, this rejection should be withdrawn.

With respect to claim 12, the prior art of record fails to teach or suggest each and every limitation of the combination of limitations of the claimed invention, including the limitation(s) of “a retrieval device for retrieving said image stored in said storage device while said compressed image data is in a compressed state to read said information of the image processing corresponding to the image of interest; and a compression device for compressing image data of said image to produce said compressed image data, wherein said compression device performs *normalization for correcting fluctuation of said image data in reading prior to compression of said image data of said image to perform setup of said image data to achieve a predetermined reference value of the*

*compressed image data.*" (emphasis added) Accordingly, this rejection should be withdrawn.

In claims 1 and 12, normalization of the image data prior to compression is provided. The Examiner acknowledges that Takahashi does not teach or suggest this feature, and relies upon the alleged teaching of Sugiyama to cure this deficiency. On page 3 of the Office Action, the Examiner acknowledges that Takahashi does not teach normalization of image data prior to compression of the image data. Although the Examiner has alleged that Sugiyama teaches or suggests modifying Takahashi to normalize image data prior to compression of the image data, Applicant submits that the Examiner has misinterpreted the Sugiyama reference. Applicant respectfully submits that the Examiner has misinterpreted the Sugiyama reference due to an incomplete or inaccurate translation thereof. Accordingly, a complete English translation of the Sugiyama reference has been submitted as an attachment to this Amendment.

In contrast to the claimed invention, Sugiyama specifically states in the same portions relied upon by the Examiner, e.g., the Abstract (Purpose) of the Sugiyama reference, that to "enable normalization with high accuracy by compressing the data of an inputted color component signal, retrieving a normalizing table and adding a correcting amount to a result obtained by the normalizing table." Therefore, compression is performed prior to normalization of any of the image data in Sugiyama, i.e., not

normalization prior to compression. Therefore, the combination of Takahashi in view of Sugiyama clearly does not teach or suggest claims 1 and 12.

Applicant submits that the Examiner has misinterpreted Sugiyama as this reference clearly describes, in direct contrast to the claimed invention, "normalizing *after compression* of the input RGB data." Sugiyama specifically describes normalizing after compression of the input RGB data, which is explicitly and further described in the Abstract, Operations under Claim 1, and paragraphs 0010, 0017 to 0019 and 0023 to 0031 (see enclosed partial English translation of Sugiyama). If the Examiner's rejection is maintained, Applicant requests that the Examiner identify where in the Sugiyama reference normalizing prior to compression is taught or suggested.

In the claimed invention, the normalization of the image data prior to compression in the present invention is performed to set up a predetermined value of the compressed image data of the image, e.g., such as an average value, maximum value or minimum value thereof as a reference value, and preferably to obtain the same average value of the compressed image data between the images and the retrieved images.

Normalization of the image data prior to compression in the claimed invention compensates (normalizes) fluctuations due to the different processes of obtaining the image data of respective images, e.g., such as the fluctuations in light modulations to scan in cases where images photographed on photographic films are photoelectrically

read by a scanner. The normalization of the image data prior to compression in the claimed invention is performed to set up a predetermined value of the compressed image data of the image such as an average value, maximum value or minimum value thereof as a reference value, and preferably to obtain the same average value of the compressed image data between the images and the retrieved images. The average value is utilized in setting up an image, i.e., an image data (refer to line 6 from the bottom in page 24 to line 4 in page 26 in the specification of the present application).

In accordance with the above discussion of the patents relied upon by the Examiner, Applicant respectfully submits that these documents, either in combination together or standing alone, fail to teach or suggest the invention as is set forth by the claims of the instant application.

Accordingly, reconsideration and withdrawal of the claim rejections are respectfully requested. Moreover, Applicant respectfully submits that the instant application is in condition for allowance.

As to the dependent claims, Applicant respectfully submits that these claims are allowable due to their dependence upon an allowable independent claim, as well as for additional limitations provided by these claims.

### **CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state-of-the-art, no further comments are necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

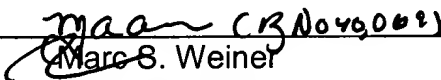
In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew T. Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

Applicant respectfully petitions under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for a one-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of **\$120.00** is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By  (13 Nov 2005)  
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Attachment